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Eighth session

SUMMARY RECORD OF THE 113th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 4 May 1992, at 10 a.m.

Chairman: Mr. VOYAME

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The meeting was called to order at 10.05 a.m.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 5) (continued)

1. The CHAIRMAN welcomed Mr. Gomez del Prado, Acting Chief of the Advisory Services, Technical Assistance and Information Branch of the Centre for Human Rights, who would describe the services to which the Committee against Torture frequently referred States.

2. Mr. GOMEZ DEL PRADO (Secretariat) said that the programmes for which his Branch was responsible dated back to about 1955, when they had been purely international in scope, covering, for example, the organization of regional seminars and the award of fellowships. During the 1980s, ideas had changed somewhat and the emphasis had shifted from the international to the regional and then to the national. International provisions in the field of human rights must be implemented in a national context, which was where the Centre considered that it was best able to provide countries with assistance.

3. Programmes had multiplied from then on, because in addition to its regular budget, which had been very small and scarcely allowed for much more than the financing of a few fellowships, a Voluntary Fund for Technical Cooperation in the field of Human Rights had been set up in 1987 to provide countries with more specific and more effective assistance. Within the framework of the Convention against Torture, countries faced several problems. Once they had ratified the Convention, they had to bring their national legislation into line with its provisions; in many cases, that had not yet been done. One Latin American country, for example, had a very complex legal system but had not yet brought its legislation into line. There was then the problem of unfamiliarity with the international provisions on the part of the judges who were supposed to apply them, and on the part of lawyers, the entire police force and doctors. That was particularly important in the case of a country changing from a dictatorship to a democracy.

4. As far as advisory services were concerned, countries were sent experts capable of organizing training courses for the various target groups such as judges, doctors, the police and prison staff. Those experts might also study police academy methods and manuals to see how the police operated and whether their procedures were consistent with international agreements. If a Government so wished, assistance could also be given in setting up a local infrastructure, in which case a human rights institute would be established to organize training courses, translate and discriminate the various international instruments and train the target groups. The Centre for Human Rights was in fact increasingly focusing its activities in that direction, which enabled it to provide countries with more pragmatic and more effective assistance.

5. Mr. EL-IBRASHI asked whether seminars or training courses had been organized in any of the Arab countries.

6. Mr. GOMEZ DEL PRADO (Secretariat) replied that the Arab countries were fortunate in having had the Arab Human Rights Institute set up in Tunis, following a seminar held in September 1987 at which Arab countries had been represented. It was a documentation and information centre which operated

with the moral and financial support of the United Nations. Institutions of that type were extremely important and should be increased in number, although care should be taken to ensure that they were not set up in areas where they would give rise to duplication. In Latin America, for instance, there was the Inter-American Institute of Human Rights in the context of the Organization of American States. Similarly, in Europe there was the Strasbourg Institute. There was another centre in Banjul which collaborated with the Arab Institute. Requests were expected to flood in from other Arab countries. Two seminars had recently been held for African countries, in collaboration with the International Institute of Humanitarian Law in San Remo, and had been attended by representatives of Arab countries. One had been for the French-speaking countries and the other for the English-speaking countries. A representative of the Committee had participated in each of the seminars and considerable attention had been focused on the Committee.

7. Mr. SORENSEN expressed his satisfaction at the work carried out within the framework of advisory services and his readiness to assist in that work. In that connection, he wished to know the exact relationship between the Centre for Human Rights and the Department of Public Information in New York, and whether there was any duplication between the two bodies.

8. Mr. GOMEZ DEL PRADO (Secretariat) said that the Department of Public Information in New York was responsible for everything relating to information. It had a sizeable budget, while his own Branch had a very limited budget. Within the confines of its budget, his Branch did its utmost to distribute texts and dealt with such questions as human rights violations, disappeared persons and racial discrimination. Through all its 67 centres worldwide, the Department of Public Information distributed the basic documents of all the committees working in the field of human rights. It was extremely important that the non-governmental organizations (NGOs) and the public at large should be familiar with the content of the reports produced by their Governments. The Department of Public Information also provided the Centre for Human Rights with information on particular cases and, where necessary, petitions. Another important task was to translate and disseminate international instruments. The Centre for Human Rights had started with the Universal Declaration of Human Rights, which had been translated into a number of local languages, but it had been unable to do more than that for lack of resources. The Department of Public Information had produced a number of films and written material of its own. In short, there was close cooperation between the Department of Public Information, which had a very wide network as well as all the basic documents, and the Centre for Human Rights.

9. Mr. KHITRIN asked whether, since the break-up of the Soviet Union and the birth of sovereign States which were now almost all Members of the United Nations, the Centre for Human Rights had envisaged an information campaign for those countries, within the framework of its advisory services.

10. Mr. GOMEZ DEL PRADE (Secretariat) said that two seminars had been held in Moscow and in Ukraine in 1991, during the time when the Soviet Union had still existed. Since then, experts had gone to the Baltic countries, in collaboration with the Office of the High Commissioner for Refugees, to

organize courses focusing on human rights. Talks were currently under way with the Russian Federation, Ukraine and other States, but no precise programme had yet been established. Some time previously, thought had been given to establishing a human rights documentation and information centre in Ukraine, but the project had not yet come to fruition. In eastern Europe, there was a small assistance programme in Bulgaria which helped distribute the texts of the international instruments. There was a similar type of programme in Hungary and in the Czech and Slovak Federal Republic. Kyrgyzstan, also a member of the former Soviet Union, had requested a similar programme.

11. Generally speaking there were more requests than his Branch could handle. With publications, too, the Centre was unable to supply all the texts requested, and it was impossible, while resources remained unchanged, to meet the continually increasing demand for assistance.

12. The CHAIRMAN pointed out that the human rights budget represented 1 per cent of the total budget of the United Nations.

13. Mr. BEN AMMAR said that, as a user of the technical assistance advisory services of the Centre for Human Rights, he wished to give some details of the Arab Human Rights Institute, of which he was one of the presiding officers. One of the Institute's tasks was to publicize human rights and to that end it operated in four main areas, for which it received assistance from the Centre for Human Rights. The main part of the Institute was a documentation and information centre, for which the Centre for Human Rights provided the equipment, four clerks and four data banks. The Institute's second task was research and studies on the status of legislation and institutions. A third task was consciousness-raising and training for NGOs, as well as for members of the judiciary, and police and prison service officers. With regard to the NGO training sessions, for which the programme had been developed in conjunction with the advisory services, the following subjects were covered: international instruments and mechanisms for protecting human rights; the role of the United Nations specialized agencies; the role of the NGOs; humanitarian law and the role of the International Committee of the Red Cross; regional systems for protecting human rights; and lastly, practical sessions on ways of publicizing and defending human rights. There were specialized conferences in addition to the programme. The Institute's fourth function was to publish and produce teaching material, with special emphasis on the defence of human rights and the rights of children.

14. The Institute had been in existence for three years and had already been in great demand. A Canadian group, the International Centre for the Human Person and Democratic Development, had nominated the Institute for the international freedom award. All that was due to the assistance of the Centre for Human Rights, to which he paid tribute. He would distribute documentation on the Institute to any interested members of the Committee.

15. The CHAIRMAN welcomed the useful work done by the Arab Institute for Human Rights and thanked the Centre for Human Rights for the assistance which it had provided.

16. Mr. GOMEZ DEL PRADO (Secretariat) considered that those were the lines along which action must be taken. That type of institution should be set up at the subregional and regional levels, as the Centre for Human Rights could not assist everybody; its financial, and also its human, resources were just not sufficient. Networks should be created and reliance placed on those centres, supported by small national institutes. Such centres were particularly important for it was sometimes very difficult to get the defence of human rights message across to lawyers, judges, doctors and also the police; the centres helped to fill the acknowledged gaps in that field.

17. Mr. EL-IBRASHI said that he would like details of projects of interest to the African countries. He was aware that there was at present an agency for the Arab countries, but would like to know what was envisaged for the future; particularly for the African countries, bearing in mind that some were English-speaking and others French-speaking.

18. Mr. GOMEZ DEL PRADO (Secretariat) said that a great step forward had been taken with the adoption of the African Charter of Human and Peoples' Rights and the establishment of the Commission on Human and Peoples' Rights; nevertheless, Africa still lacked regional institutions for the promotion of human rights, especially since the above-mentioned Commission lacked means and currently had only one secretary. It had requested the assistance of the Centre for Human Rights, which was currently furnishing support for, among other things, the publication of the periodic reports of States. The Commission, whose mandate was to promote human rights in Africa by, for example, organizing seminars, also hoped in the future to establish in Banjul a centre similar to the Arab Institute for Human Rights in Tunis.

19. There was currently in Banjul an African Centre for Human Rights and Studies financed by the Government of Gambia, but its mandate was regional. The Centre for Human Rights had provided assistance in the establishment of that Centre, which like the Tunis Institute, organized training courses. The courses were given in English and French, while those of the Institute were primarily in Arabic and French. The two institutions were therefore complementary; they exchanged information and ensured that their activities did not overlap.

20. It must be emphasized that the Centre for Human Rights received an enormous number of requests for assistance from African countries, to which it did its best to respond; in particular, it would in the very near future organize a seminar in Swaziland and an important project for Namibia was under preparation. In 1991, it had organized a seminar which had brought together representatives of all social elements in South Africa, with the aim of studying the drafting of the future constitution of that country in the human rights context. In that connection, it should be noted that the Centre for Human Rights was providing increasing assistance to recently emergent countries in drafting new constitutions consistent with human rights standards. It was also asked to provide support in connection with electoral processes, so that they might conform to principles as basic as freedom of association, for example.

21. Mr. BEN AMMAR said he wished to provide details on collaboration between the two centres for the propagation of human rights in Africa, the African Centre in Banjul and the Arab Institute in Tunis. The latter enjoyed observer status with the OAU Commission on Human and Peoples' Rights and participated in the meetings of international and African non-governmental human rights organizations convened whenever the Commission met. The documentation and information centre of the Arab Institute for Human Rights collected and disseminated not only data concerning the Arab countries, but also data of interest to the African countries in general. Under its auspices, a first Arab-African conference on the Convention on the Rights of the Child had been organized and a second conference, on criminal justice and prison reform, had been convened with 114 participants. The Institute published twice monthly a press review on human rights in the Arab world based on the English, French and Arabic press and, once monthly, a press review on human rights in Africa based on the English and French press.

22. Mr. GOMEZ DEL PRADO (Secretariat) said that a further support activity consisted of assistance in preparing countries' periodic reports to the bodies responsible for monitoring the implementation of human rights instruments. It should be emphasized that when a country had difficulties in preparing a periodic report, that might indicate problems at the structural level. The drafting of reports might provide an opportunity to identify those problems and to prepare a broader assistance programme which would make it possible to attack the roots of the difficulties encountered.

23. The CHAIRMAN thanked the Acting Chief of the Advisory Services, Technical Assistance and Information Branch of the Centre for Human Rights for the valuable information he had given the Committee.

PREPARATORY ACTIVITIES RELATING TO THE WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 11)

24. The CHAIRMAN reminded members that Mr. Sorensen had represented the Committee at the second session of the Preparatory Committee for the World Conference and invited him to report on developments.

25. Mr. SORENSEN said that, in connection with the World Conference on Human Rights which the General Assembly had decided to convene in 1993, the Preparatory Committee for the Conference had held its second session from 30 March to 10 April 1992. During that session, the Preparatory Committee had been able to adopt most of the provisional rules of procedure of the Conference, to revise its recommendations concerning financial support to participants from least developed countries, and to decide that greater publicity should be given to the regional meetings organized in preparation for the Conference. On the other hand, the Preparatory Committee had not been able to agree either on the agenda or on the documentation of the Conference; it had decided to revert to those questions at its next session, to be held in September 1992.

26. Only two of the provisional rules of procedure had not been adopted, concerning the number of Vice-Presidents and the number of NGOs to be invited to the Conference. The latter question had been discussed in depth; all

participants had been of the view that the Conference should not only comprise representatives of States, but that non-governmental entities should make a substantial contribution. The only point of disagreement had concerned the criteria and modalities of their participation. On the other hand, the Preparatory Committee had reached agreement on the provisional rules concerning the participation of observers (specialized agencies, national liberation movements, intergovernmental organizations and United Nations bodies concerned with human rights). The Committee against Torture would thus have observer status at the Conference and would be able to participate in all its work, but without the right to vote; the Committee would have to find the resources to finance its participation. Lastly, the Preparatory Committee had requested the United Nations Department of Public Information to disseminate information relating to the regional meetings; the venue of the Conference had not yet been chosen.

27. The human rights bodies represented at the session had been the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination and the Committee against Torture; their representatives had made statements which had attracted considerable attention, as they had dealt with substantive issues and not procedural points. During the session, he had offered the assistance of the Committee against Torture in the preparation of documentation and had provided the Department of Public Information with various documents and data, following which the Department had expressed its intention to prepare a publication on torture before the Conference took place.

28. During his address to the Preparatory Committee, he had said that the Under-Secretary-General for Human Rights had, in his statement, stressed the linkage between democracy and human rights and had pointed out that torture represented a threat to democracy. Referring to similar statements by the Chairman of the Preparatory Committee and the representative of the United States of America, he (Mr. Sorensen) had analysed the reasons why torture represented a serious threat to democracy. He had said that, when the Conference evaluated the progress which had been achieved in the field of human rights and the remaining obstacles in that field, the Committee against Torture should describe its past activities and urge all Governments to ratify the Convention, without any reservation concerning articles 20, 21 and 22, and implement it fully both in their legislation and in practice. In that connection, the Committee against Torture would be able to report its own experience and indicate pitfalls to be avoided.

29. He had offered the Committee's assistance in examining the relationship between democracy, development and human rights, an issue that should probably be at the heart of the discussions at the Conference. In connection with article 10 of the Convention, he had stressed the prime importance of awareness of human rights problems and torture in particular, and had offered to place at the Conference's disposal the experience and resources of the Committee against Torture in the areas of education and cooperation.

30. In connection with the new guidelines to be given to United Nations human rights bodies, he had taken up the idea, put forward by Ms. Chanet as representative of the Committee against Torture at the previous session, of creating a human rights institute in Geneva which could act as a kind of

United Nations "fire brigade", able to take action without reference to the Security Council in cases of serious violations of human rights. The institute might also be responsible for harmonizing the system of reporting to the various human rights bodies, a step which would increase the value of the reports and make them easier to draft. He had also said that the Committee could place at the disposal of the Conference an audio-visual presentation on torture.

31. Since much of the Preparatory Committee's work had been done in private meetings reserved for State representatives, the other participants had used the time to make useful contacts and exchange views.

32. Mr. EL-IBRASHI said he would like to be reminded of the agenda items of the World Conference on which the Preparatory Committee had not found it possible to agree. The participation of NGOs in the Conference was clearly essential, and while he understood that the criteria for NGO participation might give rise to discussion, the procedures for their participation should pose no problem since it went without saying that they would take part in the Conference as observers. He strongly supported Mr. Sorensen's remarks on the relationship between torture and democracy; torture was not only a threat to, but a violation of, democracy.

33. Mr. SORENSEN explained, in connection with the agenda of the World Conference, that opposition to the draft submitted by the Latin American group had come mainly from the group of Asian countries, which had proposed a totally different agenda on which military occupation and the right to development were essential items. As far as NGO participation was concerned, two countries - China and India - had spoken of a danger of the World Conference being "overrun" by the NGOs; India had in fact referred to a "governmental conference" rather than a "world conference".

34. Mr. EL-IBRASHI asked whether the rules of procedure of the Conference would be adopted by consensus or by a vote.

35. Mr. SORENSEN replied that it had been proposed that the Conference should seek a consensus, failing which it would have to adopt its agenda by taking a vote.

36. Mr. MIKHAILOV congratulated Mr. Sorensen on his clear and exhaustive report on the work of the Preparatory Committee at its second session. The World Conference would probably have to be postponed if it was to be properly organized. The secretariat might benefit from the experience acquired at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (Havana, 1990), at which each treaty body had been represented by two members as experts.

37. Mr. BEN AMMAR observed that the Chairman of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture had expressed the hope that States would use the World Conference as an opportunity to make pledges to the Fund. The Committee might persuade the States parties to the Convention to consider that matter at the regional conferences, in order that

they might have concrete proposals to make at the World Conference. It might also be desirable for the Committee to think about proposing to the United Nations General Assembly that a day of action against torture should be held every year.

38. Mr. BURNS said that he did not fully understand what the aims of the World Conference were. In the absence of an agenda, it was impossible to see exactly what they would be. Would the aim of the Conference be political action or a review of the situation? Apparently the participating States did not really know either. It seemed, however, that the Conference would seek to take political decisions and would adopt resolutions, which would not in fact fully satisfy either the NGOs or States.

39. The task of the Committee at the Conference must be to describe the phenomenon of torture and the various international, regional and national bodies established to combat it. The Conference should also provide the Committee with an opportunity to encourage States to sign the Convention and take part in the financing of the Voluntary Fund. He was pessimistic about the possibility of organizing the World Conference in 1993, because the venue had not yet been chosen and few cities in the world were equipped to receive so many people.

40. The meeting was suspended at 11.40 a.m. and resumed at noon.

41. Mr. LORENZO asked whether the dates and venues of the regional conferences in preparation for the World Conference had been settled.

42. Mr. BRUNI (Secretary of the Committee) said that the calendar of regional conferences was provisionally: for Latin America, San José from 6 to 10 July 1992; for Asia, Bangkok from 17 to 21 August 1992; for Africa, Tunis from 2 to 6 November 1992.

43. The CHAIRMAN, summarizing the proposals made during the discussion, said he assumed that the Committee agreed on the following: that the agenda of the World Conference should include not only political questions, but also questions of substance, including torture; that the NGOs should be duly represented, for without them the human rights treaty-monitoring bodies would be ill-informed and practically powerless; that each of those bodies should be able to send two representatives to the World Conference; and that States should be asked to make pledges to the Voluntary Fund for Victims of Torture at the regional conferences already.

44. As to instituting a day of action against torture, his own view was that such an initiative might snowball and entail the risk of days of action against summary execution, involuntary disappearances and so on. In fact, the more "days" there were, the smaller their impact.

45. Mr. BURNS said the Committee already knew that it would be represented at the Tunis conference by Mr. Ben Ammar; it still had to decide who would represent it in Costa Rica and Bangkok. It was important that its aims should be defended at all the regional conferences.

46. Mr. SORENSEN said that he was ready to submit the proposals just summarized by the Chairman to the Preparatory Committee at its third session. He agreed with Mr. Burns that it was very important for the Committee to be represented at the regional conferences, at which the interregional clashes so much in evidence in the Preparatory Committee would obviously be much less important.

47. Mr. LORENZO agreed with the Chairman that it was not advisable to propose the institution of a day of action against torture. It would be better to give more weight to the Human Rights Day, which was already in existence. He agreed to go to Costa Rica if his timetable permitted, but considered that Mr. Gil Lavedra, who had been a member of the Committee for much longer than himself, would be a more suitable candidate.

48. Mr. BEN AMMAR endorsed the Chairman's reservations about a day of action against torture.

49. Mr. SORENSEN proposed that Human Rights Day should concentrate on a particular issue each year and hence, in the near future, on efforts to combat torture. He requested the Chairman to speak to the other chairmen of the treaty-monitoring bodies about the matter at their next meeting.

50. The CHAIRMAN endorsed that interesting proposal which he suggested should be added to the list of the Committee's proposals to the Preparatory Committee. He requested Mrs. Klein-Bidmon, representative of the Secretary-General, to give the Committee the secretariat's opinion on the financing of the experts' participation in the work of the regional conferences.

51. Mrs. KLEIN-BIDMON (Representative of the Secretary-General) said that, for the time being, there was no provision for members of treaty bodies to attend regional conferences as observers. The United Nations Voluntary Fund for Victims of Torture had likewise discussed the possibility of speaking at regional conferences. It had been decided that the Costa Rican member of the Fund would do everything possible to ensure that the question of torture and the financing of the Fund was not overlooked. All matters discussed at regional conferences would in any case be taken up again by the Preparatory Committee at Geneva.

52. With regard to funding, she observed that the expenses of treaty bodies were not covered by the World Conference budget. It was up to each committee to seek means of funding its members' travel costs from its own budget.

53. Mr. EL-IBRASHI considered that, since the Committee against Torture was relatively young, it needed to make an impact and create awareness of its work and objectives. It would be a good idea for Mr. Ben Ammar to represent the Committee officially at the African regional conference. The Committee should also be represented at the Latin American conference, and one of its members from that region should be so mandated if they so wished and if financial conditions permitted. The Committee should also be represented at the Asian regional conference, since it would be interesting to have the views of that region's States and the Committee had no member from Asia. Given his experience and geographical origin, Mr. Khitrin would seem the best qualified person to represent the Committee at the Asian conference.

54. The CHAIRMAN said he was not sure whether the Committee's budget would enable it to send representatives to the regional conferences for Asia and Latin America. It was only participation in the African conference that seemed to pose no problem.

55. Mr. LORENZO considered that Mr. Ben Ammar should have an official mandate to represent the Committee at the meeting in Tunis.

56. Mr. MIKHAILOV endorsed that view. He proposed that the Committee should nominate representatives to the three regional conferences, subject to financial feasibility.

57. The CHAIRMAN asked Mrs. Klein-Bidmon whether an indication of the Committee's financial situation at the end of the session could be provided quickly so as to see whether the budget would allow the funding of two journeys.

58. Mrs. KLEIN-BIDMON (Representative of the Secretary-General) said that she would attend to the Chairman's request, but stressed that the current session was at the beginning of the Committee's biennial budget period and it would therefore be difficult to assess the financial situation.

59. Mr. BURNS pointed out that the person who represented the Committee at the conference for Asia would have to speak the language of the conference.

60. Mr. SORENSEN said that the point raised by Mr. Burns was a very pertinent one. He also thought that the person sent as the Committee's representative would have to be fully acceptable to the regional group. Since he was not sure whether Russian was an official language of the regional conference for Asia, and since he himself had acquired some experience in the Preparatory Committee for the World Conference, he volunteered to represent the Committee at the conference in Bangkok, if the financial situation so permitted.

61. Mr. MIKHAILOV said that, since Russian was an official language of the United Nations, its use was surely allowed at regional conferences.

62. The CHAIRMAN, summarizing, said that the Committee's questions had focused firstly on financial possibilities, secondly, on whether certain of its members would be admitted as observers to the regional conferences, and lastly on the languages used at those conferences.

63. Mr. BEN AMMAR said that he would be very honoured to represent the Committee at the regional conference for Africa. He was nevertheless afraid that the short interval between the end of the regional conference (on 6 November) and the start of the session of the Committee against Torture (on 9 November) would not give him enough time to prepare a written report.

64. The CHAIRMAN said that the Committee would be quite happy to receive an oral report.

65. Mrs. KLEIN-BIDMON (Representative of the Secretary-General) said, in reply to a question by Mr. DIPANDA MOUELLE, that no other committee had hitherto voiced a wish to be represented at regional conferences.

66. Mr. EL-IBRASHI considered that the regional groups, far from resenting the presence of a member of the Committee as an observer, would appreciate the interest shown in them.

67. The CHAIRMAN proposed that the secretariat should obtain information on the various points raised during the exchange in views; as soon as the information requested was available, the Committee would resume its discussion on the matter.

68. It was so decided.

ORAL REPORT ON THE ACTIVITIES OF THE EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE

69. The CHAIRMAN invited Mr. Sorensen to report briefly on the work of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Knowledge of how the European Committee functioned would be particularly useful at a time when the draft optional protocol to the Convention against Torture was being discussed.

70. Mr. SORENSEN said that the European Committee for the Prevention of Torture had been established pursuant to the Council of Europe's European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, which had entered into force on 1 February 1989; it had been ratified by 23 out of the 26 member States of the Council of Europe and would shortly be ratified by the three States (Poland, Bulgaria and Czechoslovakia) which had recently become members of the Council of Europe. The European Committee's membership was equal in number to the number of countries. Its members attended in a personal capacity and had to have substantial professional experience and be of high moral character; they must be independent, impartial and accessible. The European Committee was currently composed of four doctors, a priest, two experts on prisons, several experts on law and criminology, and three non-specialist politicians.

71. The mandate of the European Committee was exactly the same as that envisaged in the optional protocol; it was empowered to visit any person deprived of freedom by the authorities, whether in a police station, prison, barracks, refugee camp or hospital. Visits were of two types: periodic and ad hoc. Since the European Committee was still a young body, it had not yet completed its first cycle of periodic visits. Countries were chosen by lot. Each delegation consisted of four or five members of the Committee, all speaking the same language, two experts, interpreters, and two members of the secretariat, constituting a group of about 10 persons. When the choice of country was known, the national authorities were informed, two weeks before the start of the visit, that a delegation from the Committee would be visiting the country and, three days before the visit, they were told which places the Committee's delegation wished to visit and what information it would like to

receive. The delegation could nevertheless decide, on the spot, to visit places other than those it had indicated to the authorities of the country concerned. Before its departure, the delegation met NGOs with a view to obtaining any information that might be useful to it. On-the-spot visits lasted two weeks in the case of large countries, and 9 or 10 days in the case of medium-sized countries; a visit to San Marino had lasted only one day.

72. So far the delegations from the European Committee had always been able to see what they had wanted to see in the countries visited. On completion of a visit, the members of the delegation finalized their notes and sent them to the European Committee secretariat, which produced a draft report. Once they had commented on the draft report, a final report was prepared. The report thus produced, which if necessary included recommendations for improvements in the situation, was transmitted to the State concerned. Preparing the report took considerable time; the report on the visit to Italy, for example, had required 200 working days.

73. The activities of the European Committee were based on two principles: cooperation and confidentiality. When it received the Committee's report, the State presented its observations in turn. Four countries had decided to make the Committee's report public; they were Denmark, Austria, the United Kingdom and Sweden. The members of the Committee against Torture should study the reports of the European Committee which had been made public, as well as the European Committee's annual report. The reports were published in English and French, the original version being deemed authentic.

74. The CHAIRMAN announced that the optional protocol to the Convention against Torture would be discussed at the next meeting.

The meeting rose at 1 p.m.